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Attorney for Defendant
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

11 Plaintiff,

12 v.
13

14 Devonte Okeith Mathis,

15 Defendant.
16

NO. CR21-2714-TUC-RM (MSA)

**MOTION TO CONTINUE
TRIAL AND EXTEND PLEA
DEADLINE**

(Fifth Request – In Custody)

17 It is expected that excludable delay under Title 18, United States Code,
18 § 3161(h)(7)(A), (B)(iv), will occur as a result of this motion or an order based thereon.

19 Defendant, Devonte Okeith Mathis, through counsel, requests a 60-day
20 continuance of the trial date currently scheduled for August 30, 2022, and to extend the
21 plea deadline currently set for August 12, 2022. This request is made for the following
22 reasons:
23

- 24 1. Defense counsel has recently received supplemental disclosure and a plea
25 offer. Counsel will need additional time to review this information with
26
27
28

1 Mr. Mathis. Additional time is needed to conduct investigation and pretrial
2 preparation for a trial or a non-trial disposition.

3 2. Assistant United States Attorney, Dimitra Sampson, has no objection to this
4 request.
5

6 3. Denial of this request to continue will result in a miscarriage of justice. 18
7 U.S.C. § 3161(h)(7)(B)(i).
8

9 4. This is the fifth request to continue. Mr. Mathis is in custody.

10 Counsel requests that a scheduling order **not** be issued at this time as an order
11 may negatively impact Mr. Mathis's opportunity to take advantage of a Government
12 offer.
13

14 In the interest of judicial economy and in order to resolve any pretrial matters
15 efficiently, counsel requests a continuance of 60 days of the plea deadline and trial date
16 set. This request is not made for the sole purpose of delay.

17 RESPECTFULLY SUBMITTED: August 10, 2022.
18

19 JON M. SANDS
20 Federal Public Defender

21 *s/ Walter Eric Rau*
22 W. ERIC RAU
Attorney for Defendant

23 ECF copies this date to:

24 DIMITRA SAMPSON
25 KEITH VERCAUTEREN
26 LINDSAY SHORT, Assistants
United States Attorney's Office
27
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